

Appl. No. 09/848,158  
Amdt. dated Jul. 20, 2004  
Reply to Office action of December 30, 2003  
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### **REMARKS**

This amendment is in response to the Office Action dated May 13, 2004. Claims 1-4 and 8-14 had been rejected. Claims 5-7 were indicated as being allowable, but were objected to as being dependent upon a rejected base claim. Accordingly, various claims have been amended or cancelled and supporting remarks are presented herewith that particularly point out and distinctly claim the subject matter that applicant regards as his invention.

#### **I. Claims 5-14 should be patentable under 35 U.S.C. § 102 and under 35 U.S.C. § 103(a) over the cited prior art.**

In the last Office Action, the Examiner indicated claim 5 was allowable, but was objected to as being dependent on a rejected base claim. By this amendment, claim 5 is now in independent form and incorporates the elements of claims 1-4. Claims 6-13 are directly dependent from claim 5 and therefore contain each and every element of claim 5. Therefore, for the reasons just set forth for claim 5, claims 6-13 should also be in condition for allowance. Claim 14 has been amended to incorporate the elements of claim 5, and thus should also be in condition for allowance.

### **CONCLUSION**

In view of the foregoing it is respectfully submitted that the present application distinguishes over the prior art, and a notice of allowance is earnestly solicited. If the Examiner believes there are any further matters, which need to be discussed in order to expedite the prosecution of the present application, the Examiner is invited to contact the undersigned.


If there are any fees necessitated by the foregoing communication, please charge such fees to our Deposit Account No. 50-0902, referencing our Docket No. 64747/10014.

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Respectfully submitted,

TUCKER ELLIS & WEST LLP

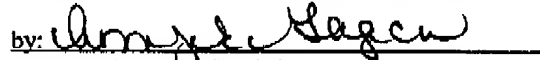
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Larry B. Donovan  
Registration No. 47,230  
Customer No. 23380  
1150 Huntington Building  
925 Euclid Avenue  
Cleveland, Ohio 44115-1475  
(216) 696-3340 (phone)  
(216) 592-5009 (fax)

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence (along with any paper referenced as being attached or enclosed) is being faxed to Examiner Christine HG at fax no. 703-872-9800 on the below date with the Mail Stop Amendment, Assistant Commissioner for Patents, Alexandria, VA 22313-1450..

Date: 7-20-04

by:   
Name: Amy E. Gagich